REMARKS

In accordance with the foregoing, the following remarks are respectfully provided. Claims 1 and 17 have been amended, and claims 1-22 are pending and under consideration. No new matter is presented in this Amendment.

REJECTIONS UNDER 35 U.S.C. §101:

Claims 1-16 are rejected under 35 U.S.C. §101 because the claims are directed to a recording medium storing nonfunctional descriptive media.

Claim 1 has been amended to recite:

> "1. An information storage medium storing at least one still image data clip to be executed by a reproducing apparatus, the at least one still image data clip comprising:
>
> at least one still image data file;
>
> still image clip information including information used by the reproducing apparatus to determine~~on~~ a position and attributes of still images in the at least one still image data file; and
>
> still image sequence information including information used by the reproducing apparatus to determine~~on~~ presentation modes and a presentation time for the still images in the at least one still image data file."

Accordingly, it is respectfully submitted that claim 1 is now directed towards statutory subject matter, because claim 1 is now recites structural and functional interrelationships between the still image data clip and a reproducing apparatus which permit the still image data clip's functionality to be realized. MPEP 2106.01. Additionally, claims 2-16 depend on claim 1. Thus, the rejection of claims 1-16 under 35 U.S.C.§101 should be withdrawn.

REJECTIONS UNDER 35 U.S.C. §102:

Claims 1-22 are rejected under 35 U.S.C. §102(b) as being anticipated by Kato (U.S. Patent Publication 2002/0145702) (hereinafter, "Kato").

Claim 1

It is respectfully submitted that the Examiner has not shown where Kato discloses each and every element of claim 1. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." MPEP 2131. Here, the Examiner argues at page 2 of the Office Action that "Kato discloses an

information storage medium storing at least one still image data clip comprising: at least one still image data file (see paragraphs 0187-0189); still image clip information including information on a position and attributes of still images in the at least one still image data file (see paragraphs 0167, 0188, 0194, 0202, 0267, and 0272); and still image sequence information including information on presentation modes and a presentation time for the still images in the at least one still image data file (see fig. 8, paragraphs 0199, 0267, 0268)."

By way of review, Kato is directed towards "an information processing method and apparatus, a program and a recording medium configured for maintaining continuity of moving pictures in a reproducing domain." Kato, paragraph [0002]. According to Kato, conventional skip reproduction has "a drawback that temporal continuity is lost in the reproduced pictures." Kato, paragraph [0008]. In order to solve this problem, Kato discloses "an information processing apparatus including "a generator operable to generate, when continuous reproduction from a first AV stream to a second AV stream is commanded, a third AV stream and address information as information pertinent to the third AV stream, the third AV stream including a preset portion of the first AV stream and a preset portion of the second AV stream..." Kato, paragraph [0010]. By generating a third AV stream and address information pertinent to the third AV stream and using this stream in relation to a first and second AV stream, Kato provides a reproducing apparatus which "maintains continuity in separately recorded AV streams." Kato, paragraph [0498].

In rejecting claim 1, the Examiner begins by arguing that Kato discloses "at least one still image data file (see paragraphs 0187-0189)." Paragraphs [0187]-[0189] describe thumbnails. These thumbnails are each used as "a representative picture indicating the contents." [0187]. Kato discloses two types of thumbnails, a menu thumbnail used as a main picture in order for the user to select what he or she desires to view, and a mark thumbnail used as a picture indicating a scene pointed to by a mark. Kato, paragraph [0187]. Further, Kato discloses two types of menu thumbnails: a menu thumbnail as a representative picture indicating the Volume, and a menu thumbnail as a representative picture indicating a Playlist. Kato, paragraph [0189]. According to Kato, "it is efficient to store the totality of the menu thumbnails in a sole file. It is unnecessary for the menu thumbnails to be pictures extracted from the moving pictures in the Volume, but may be a picture captured from a personal computer or a digital still camera, as shown in FIG. 10." Kato, paragraph [0189]. Thus, the Examiner has apparently taken the position that the sole file of menu thumbnails reads on the at least one still image data file,

recited by claim 1.

However, the Examiner then argues that Kato discloses "still image clip information including information on a position and attributes of still images in the at least one still image data file (see paragraphs 0167, 0188, 0194, 0202, 0267, and 0272)." As explained below, assuming that the Examiner thinks that the sole file of menu thumbnails disclosed at paragraph [0189] of Kato reads on the still images in the at least one still image data file recited by claim 1, none of these paragraphs relied upon by the Examiner disclose still image clip information including information used by a reproducing apparatus to determine a position and attributes of the menu thumbnails in the sole file disclosed at paragraph [0189].

Paragraph [0167] discloses "a Clip Information file" which is "useful in finding the address information at which to start data readout in the Clip AV stream file." This paragraph is describing address information used to start data readout from an AV stream, not from the sole file of menu thumbnails disclosed by paragraph [0189]. Thus, this paragraph does not disclose still image clip information including information used by a reproducing apparatus to determine a position and attributes of the menu thumbnails.

As mentioned above, paragraph [0188] simply describes the menu and mark thumbnails disclosed by Kato. Paragraph [0188] does not mention information used by a reproducing apparatus to determine a position and attributes of the menu thumbnails.

Paragraph [0194] discloses "CPI (Characteristic Point Information)," which is "data contained in the Clip information file and is used mainly for finding a data address in the Clip AV stream file at which to start the data readout when a time stamp of the access point to the Clip is afforded." As described in paragraph [0194], the CPI is used to find a data address of an AV stream, not the sole file of menu thumbnails disclosed by paragraph [0189]. Thus, this paragraph also does not disclose still image clip information including information used by a reproducing apparatus to determine a position and attributes of the menu thumbnails.

Paragraph [0202] discloses that the Clip Information file includes "ProgramInfo" for illustrating the program contents. These program contents "include, e.g., values of the PID (packet ID) of a transport packet transmitting an audio or video elementary stream or the type of the video or audio components, such as HDTV video or MPEG-2 AAC audio stream." Thus, this ProgramInfo relates to the program contents of an audio or video elementary stream, not information on the menu thumbnails.

Paragraph [0267] describes a Playitem. The Playitem contains a file name of the clip, an In-time and OUT-time to specify the playback domain of the Cop, an STC sequence_id, and Connection_Condition information indicating the connection condition of a previous PlayItem and a current PlayItem. This information all relates to information about a Clip AV stream file, not information on the menu thumbnails.

Thus, it is respectfully submitted that the Examiner has not shown where Kato discloses information used by a reproducing apparatus to determine a position and attributes of still images in the at least one still image data file, as recited by claim 1. Instead, the Examiner has provided a list of paragraphs which collectively disclose information about an AV stream, not the menu thumbnails.

Furthermore, assuming *arguendo* that these paragraphs disclose information used by a reproducing apparatus to determine a position and attributes of the menu thumbnails in the file disclosed by paragraph [0189] of Kato, the Examiner has still not shown where Kato discloses "still image sequence information including information used by the reproducing apparatus to determine presentation modes and a presentation time for the still images in the at least one still image data file," as recited by claim 1. In the Office Action, the Examiner argues that Fig. 8 and paragraphs [0199], [0267] and 0268 of Kato disclose this recited limitation of claim 1. As stated in paragraph [0183], FIG. 8 illustrates "an operation of changing (moving) the playback sequence of the Playlist shown in FIG. 8." However, neither paragraph [0183] nor FIG. 8 discloses still image sequence information including information used by a reproducing apparatus to determine presentation modes and a presentation time for the menu thumbnails disclosed by paragraph [0189].

Paragraph [0199] discloses STC-sequence information which is defined by the STCInfo of the Clip Information file. Paragraph [0199] does not disclose still image sequence information including information on presentation modes and a presentation time for the menu thumbnails disclosed by paragraph [0189]. In fact, paragraph [0199] does not even mention thumbnails.

Furthermore, as mentioned above, paragraphs [0267] and [0268] describe a PlayItem. However, neither of these paragraphs mentions anything about still image sequence information including information on presentation modes and a presentation time for the menu thumbnails disclosed by paragraph [0189].

Thus, paragraphs [0199], [0267], and [0268] do not disclose any reference to the menu

thumbnails disclosed in paragraph [0189]. Further, neither FIG. 8, nor paragraph [0183] which describes FIG. 8, discloses any references to the menu thumbnails disclosed in paragraph [0189]. Accordingly, it is respectfully submitted that the rejection of claim 1 should be withdrawn for at least these reasons.

Claims 2-10

It is respectfully submitted that claims 2-10 are patentable for at least the same reasons that claim 1 is patentable.

Claim 11

It is respectfully submitted that claim 11 is patentable for at least the same reasons that claim 1 is patentable. Additionally, the Examiner has not shown where Kato discloses "a presentation mode for the at least one still image data file is one of a slide show mode in which the presentation time for the at least one still image data file is synchronized with the presentation time for a corresponding audio data file and a browsable slide show mode in which the presentation time for the at least one still image data file is not synchronized with the presentation time for a corresponding audio data file and a presentation order of the at least one still image data file is changeable when the at least one still image data file is presented," as recited by claim 11. The Examiner argues that paragraphs [0350] and [0416]-[0418] of Kato disclose the recited limitations of claim 11.

None of paragraphs [0350] or [0416]-[0418] mention a slide show of any kind. Paragraph [0350] describes how "the semantics of the 32-bit field of RSPN_EP start differs with the EP_type defined in EP_map( )." Paragraphs [0416] and [0417] respectively describe encoding limitations on the audio bit stream and the MPEG-2 transport stream. Paragraph [0418] discloses that "no gap may be allowed to exist in a sequence of the audio presentation units." It is unclear why the Examiner has cited to these paragraphs to reject claim 11. In rejecting claim 1, the Examiner has apparently taken the position that the "sole file" of menu thumbnails disclosed by paragraph [0189] reads on the "at least one still image data file" recited by claim 1.

However, none of paragraphs [0350] or [0416]-[0418] even reference the sole file of menu thumbnails disclosed by paragraph [0189]. Furthermore, none of these paragraphs disclose a slide show. Thus, these same paragraphs clearly do not disclose that a presentation mode for the sole file of menu thumbnails "is one of a slide show mode in which the presentation

time for the at least one still image data file is synchronized with the presentation time for a corresponding audio data file and a browsable slide show mode in which the presentation time for the at least one still image data file is not synchronized with the presentation time for a corresponding audio data file and a presentation order of the at least one still image data file is changeable when the at least one still image data file is presented," as recited by claim 11.

Accordingly, the rejection of claim 11 should be withdrawn for at least these reasons as well.

Claims 12-16

It is respectfully submitted that the rejections of claims 12-16 should be withdrawn for at least these reasons as well.

Claim 17

It is respectfully submitted that the Examiner has not shown where Kato discloses each and every element of claim 17. "A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." MPEP 2131.

Kato does not disclose the reader recited by claim 17. Claim 17 recites: "...a reader which reads information on a presentation time for each of at least one still image data file, from the information storage medium, the information storage medium including a still image data clip including the at least one still image data file and information on a presentation mode and the presentation time for the at least one still image data file, and then reads still image data which is to be presented within a presentation time corresponds to the system clock..." The Examiner argues at page 5 of the Office Action that Kato discloses the reader recited by claim 17 at paragraphs [0155], [0191], [0407] and fig. 1.

Like the rejection of claim 1, the Examiner relies on the disclosure of thumbnails to read on the limitation of the still image data file recited by claim 17. Kato, paragraph [0191]. However, neither paragraphs [0155] nor [0407] even mention the thumbnails disclosed by paragraph [0191]. Instead, paragraph [0155] describes commanding "a readout unit 28 to read out the AV stream," and paragraph [0407] describes "stream data read out by the player." Thus, neither paragraph [0155] nor [0407] discloses "a reader which reads information on a presentation time for each of at least one still image data file (emphasis added)," as recited by

claim 17. Accordingly, the rejection of claim 17 should be withdrawn for at least this reason.

Claims 18-22

Claims 18 and 19 depend on claim 17. Thus, it is respectfully submitted that claims 18 and 19 are patentable for at least the same reasons that claim 17 is patentable.

Additionally, the Examiner rejected method claims 20-22 for the same reason that the Examiner rejected claims 17-19. Accordingly, it is respectfully submitted that claims 20-22 are patentable for at least the same reasons that claim 17 is patentable.

CONCLUSION:

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 503333.

Respectfully submitted,

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